

Request for Proposals

Formative Evaluation of *'Activating the Power of People-Centred Justice'*

Third strategic partnership between HiiL and the Dutch Ministry of Foreign Affairs, 2021-2025

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I Programme context

A. Background to this programme

Activating the Power of People-Centred Justice is the third strategic partnership between the Dutch Ministry of Foreign Affairs and the Hague Institute for Innovation of Law (HiiL) aimed at further developing rigorous, evidence-based, and innovation-driven approaches to people-centred justice for SDG 16.3. We aim to prevent and resolve pressing justice problems for people. Our ambition is to improve access to justice for 150 million people by 2030. This programme, and its predecessors, contribute[d] to that goal.

While the scope of the formative evaluation described in this TOR is limited to the 2021-2025 strategic partnership, it is relevant to understand the evolution of our work over time. The three (continuous) strategic partnerships to date are:

Activating the Power of People-Centred Justice is a continuation of:

- **Strategic partnership 2016-2018** (referred herein as programme **MFA I**), where we set out on a journey to develop a more effective access to justice strategy based on data and innovation. MFA I explored and tested the viability of HiiL's basic theory of change; that user data and innovation lead to better justice journeys.

and

- **Strategic partnership 2019-2021** (referred herein as programme **MFA II**, *Justice Innovation - Delivered*), built on programme MFA I by developing the 'people-centred justice' approach. We worked at the system level by helping others - justice providers from government, civil society, and the private sector - to deliver justice that works for people. We implemented this programme in **Mali, Ethiopia, Nigeria, Burkina Faso, Niger, Kenya & Tunisia**.

Activating the Power of People-Centred Justice, (also known as strategic partnership 2021-2025 or MFA III) built on MFA II by pushing the people-centred justice approach into the world, developing concepts and methods further, and building a coalition for action on SDG 16.3 access to justice. We partner with stakeholders to develop strategies and solutions that resolve people's justice problems, prevent injustices large and small, and create opportunities for people to participate fully in their societies and economies.¹ The programme is implemented in **Nigeria, Tunisia, Burkina Faso, Niger, Ethiopia, Uganda and Mali**. These countries are at the intersection of HiiL's geographic focus and the Dutch Ministry of Foreign Affairs priority countries. In this

¹ The people-centred justice approach is set out in a number of documents, including the report of the Task Force on Justice, the Shared Justice for All Strategy 2020 - 2023, and the Hague Declaration on Access to Justice for All.

programme we continued to learn and improve our methods, with a view to connecting the dots between outputs and outcomes.

At the time of the programme's design, HiiL's theory of change, and this programme specifically, adopted an integrated 'five petal' approach to improving access to justice through system-level interventions to improve prevention and resolution of justice problems in the countries where we work:

- Justice needs and outcomes **data** are available to monitor and inform policy.
- Justice practitioners use evidence-based **best practices** to resolve justice problems for people fairly and efficiently.
- People have increased access to and use of innovative [formal/informal] justice services ('**gamechangers**').
- Justice stakeholders cooperate to create and fund an **enabling environment** for people-centred justice.
- There is a **movement** by international and regional networks for people-centred justice policies and funding priorities.



Activating the Power of People-Centred

Justice was designed to fit under the second pillar (rule of law) of the Security and Rule of Law Results Framework by the Department for Stability and Humanitarian Aid (DSH) of the Dutch Ministry of Foreign Affairs, as it was in 2021.²

2020 marked the start of the Decade of Action: ten years to achieve the SDGs. The profound sense of urgency to deliver access to justice inspired by this goal is the foundation of *Activating the Power of People-Centred Justice*. Our specific objectives are to:

- To increase and improve the resolution and prevention of a considerable number of people's everyday legal problems, resulting in more people being better able to access their rights.
- Increase people-centred access to justice programming in at least 5 countries, specifically for those furthest behind.

² We note that this framework was updated in 2023. The donor has advised that the earlier framework remains the relevant reference for this programme.

- To expand political (and financial) international support for the realisation of SDG16.3.

II Formative evaluation

A. Purpose of the evaluation

The mid-term review foreseen in 2023 did not take place. The work plan for 2024 has already taken shape. In agreement with the Dutch Ministry of Foreign Affairs it was decided to transform the mid-term review into a formative evaluation, in the place of a final evaluation and with an eye to continuation.

The purpose of this formative evaluation will be to focus on the extent to which HiiL programmes are successful (or on track to be successful) in producing change, i.e. check progress towards (early) outcome-level results, with a view to informing both the remainder of the strategic period (up to Sept 2025) and to feed the discussion and design of a potential next strategic partnership.

The two objectives are:

- **Steering:** informing strategic and operational decisions aimed at consolidating/reinforcing positive effects and, if necessary, mitigate any negative effects observed.
- **Learning:** identifying lessons on what works for people-centred justice programming, what programme adaptations worked (especially re: rule of law fragility), gaining insights on how to improve and scale initiatives and designing future programmes.

The primary audiences for evaluation results are the Dutch Ministry of Foreign Affairs and HiiL.

- **Dutch Ministry of Foreign Affairs** (accountability, contributing to broader learning initiatives and future collaborations)
- **HiiL** (strategic direction, planning implementation, theory of change [re]development and design of the MFA IV proposal).
- We expect to share learnings emerging from this evaluation with Justice Action Coalition partners and justice stakeholders in project countries.

B. Scope

The evaluators should focus on outcomes of *Activating the Power of People-Centred Justice*, particularly case studies from the Tunisia, Nigeria and Burkina Faso programmes from July 2021 - March 2024.

Elements of the partnership to be evaluated

Two country programmes are to be evaluated, where the full 'five-petal' approach is being taken. Those are:

- **Tunisia:** this programme has focused efforts on the theme of employment justice on the national level. *In-country research is expected and will be facilitated by HiiL.*
- **Nigeria:** this programme has focused efforts on the themes of land and domestic violence, crime and police, on a state level (Imo, Ogun and Kaduna states), with complementary activities at the federal level. *In-country research is expected, security conditions allowing, and will be facilitated by HiiL.*

A set of case studies (desk review, no travel) on adaptive programming and responses to undemocratic changes in government or other ROL fragility, in addition to and as a counterpoint to experiences in Nigeria and Tunisia:

- **Burkina Faso** (programme 4): this programme focused on the 'working from data' petal of the HiiL approach. HiiL produced a Justice Needs and Satisfaction survey in 2022, which saw early indications of stakeholder uptake interrupted by an undemocratic change of government. HiiL programming resumes in this country with a focus on a different stakeholder group in 2024.
- **To be considered: Ethiopia, Mali**

Specific evaluation questions

		Evaluation questions
Evaluation criteria	Effectiveness	<ul style="list-style-type: none"> To what extent are HiiL programmes achieving the anticipated objectives (outcome level) , including any differential results across groups (e.g. gender, age groups, vulnerable populations), along the causal pathway? Outcome questions include: <ul style="list-style-type: none"> On data: To what extent has HiiL data been ‘used’ by justice sector stakeholders to improve justice policy and service delivery? What is the contribution of the programme towards this use? On best practices: To what extent have HiiL guidelines been ‘used’ by justice practitioners to resolve justice problems for people fairly and efficiently? On enabling environment: To what extent have stakeholder dialogues and justice transformation processes created an enabling environment for justice innovation? Specifically for the ‘gamechangers’? On gamechangers: To what extent have justice innovation labs and justice accelerator programmes resulted in ‘gamechanger’ justice services? What indications are there that these will increase access to and use of justice services by people? On movement: To what extent have international, regional, and national networks of people-centred justice been reinforced?
	Efficiency	<ul style="list-style-type: none"> How well are Dutch Ministry of Foreign Affairs resources being used by HiiL programmes?
	Relevance	<ul style="list-style-type: none"> To what extent are the outcomes, as formulated in the programme theory of change, responding to justice sector stakeholder’s needs? To what extent are the programme outcomes aligned with the Dutch Ministry of

		Foreign Affairs MFA theory of change and results frameworks? ³
	Coherence	<ul style="list-style-type: none"> ● External coherence <ul style="list-style-type: none"> ○ How does HiiL's work compare with other (global/Africa) justice actors focused on promoting and implementing SDG 16.3? ○ To what extent are HiiL programmes complementary/harmonised/coordinated with justice stakeholders in-country? ○ To what extent is HiiL adding value while avoiding duplication of effort? ● Internal coherence <ul style="list-style-type: none"> ○ What is the internal coherence between HiiL's country offices and Hague office? ○ What localisation efforts have worked well? What opportunities exist?
	Sustainability	<ul style="list-style-type: none"> ● Which elements of the programme are most likely to be continued by local partners, and what are their motives? ● Are outcome results sustainable? Which, and to what extent?
Cross-cutting	Adapting to fragile rule of law environments	<ul style="list-style-type: none"> ● What lessons have been learned from working in and adapting to fragile rule of law environments to inform future programmes? ● How do adapted programmes compare to programmes where adaptation was not necessary? ● How does HiiL deal with changes in fragility? ● What is HiiL's value-add or unique position in fragile rule of law settings?

³ See footnote in section I.A. above re: applicable framework.

C. Methodology

HiiL's interventions are aimed at complex social change: outcome-level results can be unpredictable, non-linear and multiple parties are involved. For that reason, we envisage the evaluator using a combination of [outcome mapping](#) and, where outcome-level results are identified, [contribution analysis](#) methodologies. We nevertheless invite the evaluator to suggest a suitable approach in line with IOB guidance. Data collection methods will likely therefore include document review, focus group discussions, key informant interviews, surveys and (where appropriate) direct observation.

III Evaluation Implementation

A. Deliverables

- An inception report with a maximum of 20 pages, with an evaluation matrix and data collection tools in the annexes. These shall be approved by HiiL before the data collection. The report will be submitted in English.
- Monthly briefings with the reference group via Google Meet, including a debrief of the initial findings.
- A **draft** evaluation report of maximum 60 pages (including country project chapters) excluding annexes in English.
- Sense-making workshop with HiiL and the Dutch Ministry of Foreign Affairs (½ day) before submission of **final** report.
- A **final** report evaluation report of maximum 60 pages (including country project chapters) including executive summary, annexes, images, graphs and tables; format to be discussed.
- Databases with the relevant data and analysis, including contribution analysis.

B. Timeframe

- **April 2024:**
 - RFP process.
 - Selection of consultants, contracting.
- **May & June 2024:**
 - Inception phase.
 - Data collection & analysis.
- **July & August 2024:**

- Validation meeting and/or sensemaking session/s.
- Reporting.
- **September 2024: management response.**

C. Reference group

HiiL is the commissioner of the evaluation. HiiL will steer and direct the evaluation based on the TOR. A review committee composed of internal stakeholders and donor representatives will be established.

HiiL will provide the following support to the evaluators

- Transmission of background materials and information (project proposal, programme reports, digital copies of outputs, monitoring data, learning materials, internal evaluation materials, participant feedback etc).
- Introduction to and meeting arrangements with agreed external stakeholders.
- Introduction to and meeting arrangements with internal stakeholders.
- Support arranging travel and access to programmes.

D. Budget

The budget for this evaluation is 110,000 EUR incl VAT for time and materials, including travel.

IV RFP process

A. Expected Profile of Consultant/s

HiiL is looking for a consultant, or team of consultants, with the following experience and capacity:

- Senior justice sector consultant, development professional or consultant academic, with 10-15 years experience in the field;
- 10+ years demonstrated experience in conducting formative evaluations with qualitative components, ideally for programmes funded by the Dutch Ministry of Foreign Affairs;
- Advanced university degree in law, development, international relations, social sciences, or related field of study;
- Expertise in access to justice programming or justice development in Nigeria, Tunisia, and Burkina Faso;
- Comfortable working with materials and interviews in English, ideally also Arabic and French;

- The ability to travel to conduct field research in Tunisia and Nigeria, ideally with a team based in these two countries.

Note: The independence of the evaluation consultant is of utmost importance. The evaluators and affiliated organisations should have not been involved in the design or implementation of the programme, and have no interest in the outcome of the evaluation.

B. Application Process

Proposals may be submitted on or before **1st May 2024** at 17.00 (CET) only through email to the following email address: **amy.sinclair@hiil.org**. Proposals shall be submitted in English, signed by the organisation, and with the subject line [Evaluation MFA III/name organisation].

Proposal shall contain three parts:

- Technical part shall explain your understanding of the ToR, evaluation framework, your proposed methodology, work plan and deliverables. It shall not exceed 15 pages.
- Financial part shall outline a detailed budget with breakdown of fees per team member, number of days per activity, and other costs. The costs for any planned travel shall be budgeted.
- Team part shall include CV of proposed team members (no more than 2 pages per person), and outline how the consultant/s meet the requirements, confirmation of availability in the evaluation time frame, and contact details of two professional referees relevant for this consultancy.

Only complete proposals will be considered. Evaluation of the received proposals will take place from **3rd May 2024**. An online interview may be part of the evaluation process. Applicants will be notified of the results by **8th May 2024**.

Steps	Timeline
Deadline for questions	26 April 2024 at 17.00 (CEST)
1. Submission of proposal by applicants	1 May 2024 at 17.00 (CEST)
2. Review and shortlisting of proposals, and communicate to applicants	3 May 2024

3. Interview for shortlisted applicants	6-7 May 2024
4. Notification of results	8 May 2024

C. Criteria for Awarding Contracts

The criteria for awarding contracts resulting from this Request for Proposals are based on “best value for money.” For the purpose of all tenders, the Dutch Ministry of Foreign Affairs defines “best value for money” as:

A complete assessment of technical, organisational and pricing factors (quality of the training, content, trainers, previous experience, the format in which it is presented, ability to execute the training online (if needed) and the delivery time).

Technical evaluation (total points =100) (counts for 60 %)

To be technically acceptable, a proposal must meet or exceed the requirements and specifications in the Request for Proposals as listed below.

Technical criteria	Documents required	Max score
Proposal addressing all technical requirements in experience and capacity, demonstrating an understanding of the ToR, methodology, tools to be used, and format	Proposal which outlines the work plan, methodology, team and risk mitigation	60
Proof of expertise and knowledge needed to carry out the evaluation	CV and 2 references from organisations that can verify the quality of the consultant’s work and /or publicly available example of a previous evaluation.	40

Only proposals that score a minimum of 50 points for the technical evaluation will go to the commercial evaluation.

Commercial evaluation (total points=100) (counts for 40%)

Commercial criteria	Documents required	Max score
Proposal clearly indicating the prices	Financial offer outlining the budget (in EUR)	100

D. Contact information

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